

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ACS STATE HEALTHCARE, LLC, )  
Plaintiff, )  
v. )  
DAVE HEINEMAN, in his official )  
capacity as Governor of the State of )  
Nebraska, JON BRUNING, in his official )  
capacity as Attorney General of the )  
State of Nebraska, CARLOS )  
CASTILLO, in his official capacity as )  
Director, Department of Administrative )  
Services, CHRISTINE PETERSON, )  
CEO of the Department of Health & )  
Human Services, and STEVE SULEK, )  
in his official capacity as Acting Material )  
Division Administrator, )  
Defendants. )  
)

4:08CV3021

**ORDER OF RECUSAL  
REQUEST FOR REASSIGNMENT**

This matter is before the court on the court's own motion pursuant to 28 U.S.C. § 455(a), which states: "Any . . . judge . . . of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." Upon review of the parties and the record in the above-designated case, the undersigned judge shall, and hereby does, recuse himself from the above-designated case pursuant to 28 U.S.C. § 455(a).

SO ORDERED.

DATED this 4<sup>th</sup> day of February, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge